

FORM PTO-1390
(REV 3/2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DATE: May 21, 2001

EXPRESS MAIL LABEL NO.

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ATTORNEY DOCKET NO.

36483/KMO/T67

U.S. APPLICATION NO.

Not Yet Assigned

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.

PCT/US99/27426

INTERNATIONAL FILING DATE

19 November 1999

PRIORITY DATE CLAIMED

20 November 1998

TITLE OF INVENTION

DRIP IRRIGATION HOSE WITH ROOT DETERRENT STRIP

APPLICANT(S) FOR DO/EO/US

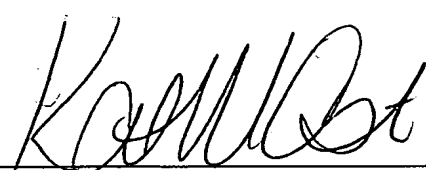
Alan F. Robb

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 13 to 20 below concern document(s) or other information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ **SMALL ENTITY** Assertion: Applicant(s) and any other associated with it/them under 37 CFR § 1.27(a) are a small entity.
20. ☒ Certificate of Mailing by Express Mail.
21. ☐ Other items or information:

| | | | | | | | | |
|--|--------------|--|----------------|--|---------------------|---------------------|---------------|---------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) Not Yet Assigned / 856428 | | INTERNATIONAL APPLICATION NO. PCT/US99/27426 | | ATTORNEY DOCKET NO. 36483/KMO/T67 | | | | |
| 21. The following fees are submitted: <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO: \$1,000.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO: \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO: \$710.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4): \$690.00 <input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4): \$100.00 | | | | CALCULATIONS | PTO USE ONLY | | | |
| | | | | ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$100.00 | | |
| | | | | Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$130.00 | | |
| | | | | Claims | Number Filed | Number Extra | Rate | |
| | | | | Total Claims | 17 -20= | 0 | X \$18 | \$ -0- |
| Independent Claims | 2 -3= | 0 | X \$80 | \$ -0- | | | | |
| Multiple dependent claim(s) (if applicable) | | | + \$270 | \$ -0- | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$230.00 | | | | |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). | | | | \$ -0- | | | | |
| SUBTOTAL = | | | | \$ | | | | |
| Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | | | | |
| TOTAL NATIONAL FEE = | | | | \$230.00 | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | | | | |
| TOTAL FEES ENCLOSED = | | | | \$230.00 | | | | |
| Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable. | | | | Amount to be: | | | | |
| | | | | refunded | \$ | | | |
| | | | | charged | \$ | | | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ 230.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1728</u> . A duplicate copy of this sheet is enclosed. | | | | | | | | |
| NOTE (2): Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> Kathleen M. Olster CHRISTIE, PARKER & HALE P.O. Box 7068 Pasadena, CA 91109-7068 CUSTOMER NUMBER: 23363 </div> <div style="width: 45%; text-align: right;"> By  Kathleen M. Olster Reg. No. 42,052 </div> </div> | | | | | | | | |

